

Application Number 09/893,823  
Amendment dated May 17, 2004  
Responsive to Office Action mailed February 17, 2004

### **REMARKS**

Applicant has amended claims 11, 23, 48 and 51, and cancelled claim 6. Claims 1-5 and 7-60 are pending upon entry of this amendment.

### **Information Disclosure Statements**

As a preliminary matter, the Examiner indicated that the present Application file at the USPTO lists information disclosure statements (IDSs) filed September 7, 2001 and September 13, 2002, but that no such IDSs appear in the file. The Examiner requested the Applicant submit copies of any IDSs not already considered by the Examiner.

Upon review of our files, Applicant submitted IDSs on September 7, 2001, September 13, 2002, and July 10, 2003. The IDSs submitted on September 7, 2001 and September 13, 2002 have not yet been considered. Applicant will resubmit these IDSs under separate cover.

### **Claim Rejection Under 35 U.S.C. § 103**

In the Office Action, the Examiner rejected claims 1-60 under 35 U.S.C. 103(a) as being unpatentable over Craig et al. (US 5,555,351) in view of Birrell et al. (US 6,029,164). Applicant respectfully traverses the rejection. The applied references fail to disclose or suggest the inventions defined by Applicant's claims, and provide no teaching that would have suggested the desirability of modification to arrive at the claimed invention.

#### ***Claims 1-6***

Claim 1 of the present application recites a system comprising a database storing label records and associated label data for a plurality of different products manufactured by an organization. Claim 1 further recites a label record manager that controls the creation and modification of the label records by multiple users within the organization, wherein the label record manager includes a revision control module to track changes made to the label records and the associated label data; and an output manager that receives input from the multiple users and permits the users to selectively access the label records for printing on label media to be affixed to the different products.

Application Number 09/893,823  
Amendment dated May 17, 2004  
Responsive to Office Action mailed February 17, 2004

The cited references fail to teach or suggest numerous elements of Applicants' claim 1. For example, the applied references lack any teaching that would have suggested a system comprising a label record manager that includes a revision control module to track changes made to the label records and the associated label data.

In rejecting claim 1, the Examiner cited columns 1 and 2 of Craig et al (herein, "Craig"). However, the cited portions of Craig are silent with respect to numerous elements of Applicant's claim 1. For example, the cited portion of Craig does not teach or suggest a revision control module for tracking changes to label records. Moreover, per the Examiner's request, the Applicant has considered Craig in its entirety, and determined that Craig is entirely silent with respect to a revision control module for tracking changes to label records. In fact, Craig does not teach or suggest of a label record manager that controls the creation and modification of label records by multiple users, let alone a label record manager that includes a revision control module for tracking changes to label records and associated label data, as required by claim 1.

To the contrary, Craig describes a system for controlling the distribution of bar code data within a single warehouse. In particular, the Craig system includes a distribution center processing computer (DCPS), such as a mainframe, that is located within the warehouse and communicates bar code data to a bar code printer 28 or a bar code labeler 32.<sup>1</sup> The Craig system includes a local bar code data processing system 10, such as a personal computer, that is directly coupled to the bar code printer and/or the bar code labeler, e.g., via a serial port or RF link. The DCPS issues "messages" to the personal computer to communicate bar code data for printing on the bar code printer or bar code labeler.<sup>2</sup> Much of the Craig disclosure describes the routing of the messages between the DCPS and the personal computer coupled to the label printer to control distribution of the bar code data.

Consequently, Craig does not describe a system for creating and modifying label records by multiple users, as required by claim 1. In contrast, the Craig system describes only a system for controlling the distribution of bar code data within a warehouse. To the extent Craig describes "modification" of bar code data, the reference is merely describing the distribution of bar code data, i.e., modification of bar code data stored by the local bar code processing system

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<sup>1</sup> Column 5, ll. 19-36.

<sup>2</sup> Col. 5, ln. 55-col. 7, ln. 35.

Application Number 09/893,823  
Amendment dated May 17, 2004  
Responsive to Office Action mailed February 17, 2004

in accordance with bar code data stored by the DCPS. Thus, Craig does not describe a system comprising a label record manager that controls the creation and modification label record, and that includes a revision control module for tracking changes to label records and associated label data, as required by claim 1.

As Craig merely describes a system for controlling the distribution of bar code data within a warehouse, Craig does not teach or suggest a revision control module that maintains modification logs for the label records and provides change histories for the label records, as required by claim 2. Again, per the Examiner's request, Applicant has considered Craig in its entirety, and the Craig system is unrelated to these elements of Applicant's claims.

Similarly, Craig fails to teach or describe a revision control module that archives images for the labels with corresponding date and time stamps. Craig does not describe a system for creation and modification of the labels themselves and, therefore, is entirely silent with respect to a revision control module that generates images of labels from the label records and associated label data, and archives the images with corresponding date and time stamps, as required by claim 3.

With respect to claim 4, Craig fails to teach or suggest a label record manager that presents an interface by which a user can check-in and check-out a label record for revision, as recited by claim 4. Similarly, Craig fails to describe a database that stores reusable label templates for use in creating labels, and a template manager software module that presents an interface for managing the label templates stored by the database, as required by claim 5.

Birrell does nothing to address these basic deficiencies of Craig. In fact, Birrell describes a system for managing electronic mail (email) messages, and is entirely unrelated to Applicant's claimed invention. More specifically, Birrell describes a mail system that parses and indexes email messages for subsequent retrieval. The Birrell system includes client computers coupled to an email service system via a network, such as the Internet.<sup>3</sup> Birrell describes the use of "labels" as a mechanism to "organize and retrieve mail messages."<sup>4</sup> As used in this context, Birrell describes a "label" as "annotated notes that can be added or removed to messages" to "help users

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<sup>3</sup> See, e.g., Figure 1.

<sup>4</sup> Col. 5, ll. 36-37.

Application Number 09/893,823  
Amendment dated May 17, 2004  
Responsive to Office Action mailed February 17, 2004

organize their messages into subject areas.”<sup>5</sup> Birrell further states that “labels are nothing more than predefined test strings.”<sup>6</sup>

Thus, it appears that the Examiner may have misconstrued Birrell as the reference is entirely unrelated to Applicant’s claimed invention. Birrell describes an email system and uses the term “label” simply to refer to text strings that may be used to annotate emails for subsequent retrieval. Consequently, Birrell fails to teach or suggest any of the elements of Applicant’s claims. As but one of many examples, contrary to the Examiner’s assertion, Birrell fails to describe a revision control module of the label record manager presents an interface by which a user can check-in and check-out a label record for revision, as required by claim 4.

#### *Claims 7-12*

For reasons similar to those set forth above, neither Craig nor Birrell teach or suggest storing label records and associated label data, generating images of labels based on the label records and associated label data, and archiving the images with corresponding date and time stamps, as required by claim 7. Craig, for example, makes no mention of archiving images of labels, let alone archiving the images with date and time stamps. Birrell is entirely unrelated to the elements of claims 7-11.

#### *Claims 13-23*

Neither Craig nor Birrell teach or suggest storing label records having a publication status, presenting an interface for setting the publication status of the label record, and printing a label at one of a plurality of output locations based on the label record and the publication status, as required by claim 13. In fact, neither Craig nor Birrell make any mention of publication status associated with a label record.

#### *Claims 24-30, 41-44, 57-60*

Claim 24 recites a label management software system comprising a database storing configuration data defining an organization having a number of business units and manufacturing

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<sup>5</sup> Col. 5, ll. 37-42.

<sup>6</sup> Col. 8, ll. 31-32.

Application Number 09/893,823  
Amendment dated May 17, 2004  
Responsive to Office Action mailed February 17, 2004

facilities, wherein the label management system creates a label record associated with one of the business units, and selectively prints a label at one of the manufacturing facilities based on the label record and the associated business units. Claim 27 recites associating label records with business units, and printing a label at one of the manufacturing facilities according to the selected label record and the associated business unit.

Neither Craig nor Birrell teach or suggest printing a label at one of a plurality of manufacturing facilities according to a business unit associated with a label record. In fact, in direct contrast with these claim elements, Craig specifically describes a system for distributing bar code data within a single warehouse.<sup>7</sup>

#### *Claims 31–40*

Claim 31 recites a system comprising a database storing label records and associated archived images of labels. The system further comprises an output module to print a label from a selected one of the label records, wherein the output module includes an interface for presenting the archived label image associated with the selected label record.

As described above, Craig and Birrell fail to teach or describe a system for creating and modification of the labels. The cited references are entirely silent with respect to archiving images of labels, and an interface for presenting the archived images of labels, as required by claim 31.

Similarly, none of the cited references teach or suggest displaying the archived label image associated with the selected label record for verification by a user; and printing a label upon receiving input indicative of the verification, as required by claim 34.

#### *Claims 45–47*

Claim 45 recites a label management system comprising a template design tool to create the label templates, wherein the template defines one or more fields; a graphics design tool to create graphics; a template manager software module to parse the templates and store for the templates and field information within the database; a graphics manager to receive the graphics from the graphics design tool and store corresponding graphical data within the database; a label

Application Number 09/893,823  
Amendment dated May 17, 2004  
Responsive to Office Action mailed February 17, 2004

record manager software module presenting an interface to create label records for associating the graphics and text within the fields of the label template; and an output manager software module for printing a label based on a selected one of the label records and the associated graphics and text.

Unlike the requirements of claim 45, none of the cited references describe a system for creating labels. As described above, Craig describes a system for distributing bar code data within a warehouse. Unlike the requirements of claim 45, Craig does not describe a system that combines a graphics manager, a template manager, a label record manager and an output manager, as required by claim 45.

#### *Claims 48-56*

Claim 48 describes a label management system for managing label records for multiple organizations. As recited in claim 48, the label management system comprises a database storing configuration data defining the plurality of organizations, each organization having at least one group and at least one output location. Claim 48 further recites a plurality of software modules executing on computing devices coupled to the database, wherein the software modules present an interface by which each authorized users of the groups create label records and selectively print the labels at the corresponding output location for the organizations.

Claim 51 describes a method for providing a label management service and recites storing configuration data defining a plurality of organizations, each organization having at least one group and at least one output location, presenting an interface for by which each authorized users of the groups create label records, and in response to input from the users, selectively printing labels at the corresponding output locations for the organizations.

As described above, Craig describes a system for distributing bar code data within a single warehouse. Unlike the requirements of claim 45, neither Craig nor Birrell teach or suggest a system that a label management system for managing label records for multiple organizations. Moreover, neither Craig nor Birrell teach or suggest software modules that calculate fees for each of the different organizations and record the fees within the database, as required by claim 49.

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<sup>7</sup> Col. 1, ll. 29-34.

Application Number 09/893,823  
Amendment dated May 17, 2004  
Responsive to Office Action mailed February 17, 2004

Similarly, neither Craig nor Birrell teach or suggest that the software modules calculate the fees for the organizations based at least one of (a) a number of accesses by each organization, (b) a number of label records and label templates stored by each organization, and (c) a subscription fee, as required by claim 50.

For at least these reasons, the Examiner has failed to establish a prima facie case for non-patentability of Applicant's claims 1-5 and 7-60 under 35 U.S.C. 103(a). Withdrawal of this rejection is requested.

### CONCLUSION

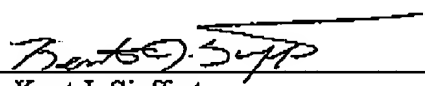
All claims in this application are in condition for allowance. Applicant respectfully requests reconsideration and prompt allowance of all pending claims. Please charge any additional fees or credit any overpayment to deposit account number 50-1778. The Examiner is invited to telephone the below-signed attorney to discuss this application.

Date:

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